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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/046,683	10/26/2001	Ivan Saltz	29890.010000	2416
54353	7590	02/13/2006	EXAMINER	
MANUEL VALCACEL c/o GREENBERG TRAURIG, P.A. 1221 BRICKELL AVENUE MIAMI, FL 33131			ALI, MOHAMMAD	
			ART UNIT	PAPER NUMBER
			2166	

DATE MAILED: 02/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/046,683

Applicant(s)

SALTZ, IVAN

Examiner

Mohammad Ali

Art Unit

2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. The petition filed on 08/22/05 under 37 CFR 1.131 is sufficient to overcome the USPGPUB 2202/0099605 reference.
2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 08/22/05 has been entered.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pant et al. ('Pant' hereinafter), USP 6,012,053 in view of Fox et al. ('Fox' hereinafter), US Patent 6, 574,632 B2.

With respect to claim 1,

Pant discloses a database management system for use with a searchable computerized database (see Fig. 2), comprising:

- a database containing data items (see Fig. 1, Pant);

- a user input interface for receiving database queries for specific data from users of said database ( see col. 6, lines 2-3, Pant);

- a limit engine module interfacing with said database responsive to said user input interface for expanding a database user's query for specific data to include data within a programmable from said database user query (see col. 3, lines 33-43, Figs. 2-3, Pant);

- a query builder module responsive to said limit engine module for formulating a database search query for database data within said supplied by said limit engine module (see col. 6, lines 9-13, Pant);

- a query processor module responsive to said query builder module for processing said database search query formulated by said search query builder module (see col. 9, lines 3-6, Fig. Fig. 3, Pant); and

- a user display interface for displaying the results of said database search query processed by said query processor module to the database user (see Fig. 3, element 154, col. 5, lines 5-7, Pant).

Pant does not explicitly indicate the claimed "range of deviation".

Fox discloses the claimed range of deviation (standard deviation are calculated without the largest n-gram frequency value. If the largest value fits within three standard deviation of the mean, then the number is used as the scaling factor, see col. 13, lines 32-35 et seq).

It would have been obvious to one ordinary skill in the data processing art, at the time of the present invention to combine the teachings of the cited references, because the range of deviation of Fox's teachings would have allowed Pant's system to retrieve a documents from a document database by providing users with multiple input interaction mode, in the search engine to limit the information, as suggested by Fox, at col. 3, lines 36-42 et seq.

As to claim 2,

Pant teaches wherein said limit engine is programmed to expand a database user's query for specific data to include data within a fixed percentage from the database user's query (see col. 9, lines 17-21, Pant).

As to claim 3,

Pant teaches wherein said limit engine is programmed to expand a database user's query for specific data to include data within a fixed statistical standard of data within said database from the database user's query (see col. 9, lines 17-21, Pant).

As to claim 4,

Pant teaches further comprising a ranking module responsive to said query processor module for database data according to how closely said data matches the database user's query for specific data (see col. 12, lines 5-10, Fig. 1, Pant).

As to claim 5,

Pant teaches further comprising a sort module responsive to said ranking module for sorting said database data into descending order based on the assigned to each item within data by said module (see col. 12, lines 5-10, Fig. 1, Pant).

Claim 6 have the same subject matter as of claim 1 and essentially rejected for the same reasons as discussed above.

As to claim 7,

Pant teaches ranking database data within said programmed according to how closely said data matches the user's query for specific data (see col. 12, lines 5-10, Fig. 1, Pant).

As to claim 8,

Pant teaches comprising the step of sorting said database data into descending order based on the assigned to each data item within said programmed (see col. 12, lines 5-10 and col. 1, lines 9-10, Fig. 1, Pant).

### **Conclusion**


5. USP, 6,611,834 (Aggarwal et al.) teaches claimed limitations search query module, interface, ranking,...

***Contact Information***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad Ali whose telephone number is (571) 272-4105. The examiner can normally be reached on Monday-Thursday (7:30 am-6:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Mohammad Ali  
Primary Examiner  
Art Unit 2166

MA  
February 4, 2006